

**UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS**

STEPHEN WALSH
Plaintiff

V.

**WOODS HOLE, MARTHA'S VINEYARD
AND NANTUCKET STEAMSHIP
AUTHORITY**
Defendant

Civil Action No. 04-12595-RGS

**PLAINTIFF'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO
DEFENDANT'S MOTION TO PRECLUDE**

NOW COMES the Plaintiff, and states as follows:

1. The Defendant filed on this date, November 8, 2005, a motion to preclude the Plaintiff from offering any evidence concerning the nature and extent of his alleged personal injuries.
2. The Plaintiff's counsel, David F. Anderson, Esq., is currently on trial in federal court in Bangor, Maine, in the matter of Falconer v. Penn Maritime, Inc., et. al., C.A. 05-cv-42. This is a Jones Act case involving a paraplegic. The trial started on November 1, 2005, and is expected to last until approximately Thanksgiving. This motion has been prepared and filed in Mr. Anderson's absence by David J. Berg, Esq., of Latti & Anderson, LLP. Mr. Berg has not previously performed any legal work on this case, and is preparing this motion in Mr. Anderson's absence only to protect the rights of the Plaintiff. Mr. Anderson will continue as the Plaintiff's counsel of record after he returns from this trial.
3. The Plaintiff is unable to effectively respond to this motion in the absence of Mr. Anderson, the Plaintiff's attorney of record.
4. The Plaintiff therefore requests an extension of time to respond to the Defendant's

motion. Under the Local Rules, oppositions to motions are due 14 days after the filing of the motion. The Plaintiff requests a brief extension of time to November 30, 2005 to respond to the motion. That will allow Mr. Anderson time to respond to the motion from the anticipated end of his trial.

5. Mr. Berg has spoken with counsel for the Defendant, who advises that he does not assent to this motion, but that he will not oppose the motion.

WHEREFORE, the Plaintiff respectfully requests that he be granted an extension of time to November 30, 2005 to respond to the Defendant's motion to preclude.

Respectfully submitted for the
the Plaintiff, Stephen Walsh,
by his attorney,

/s/ David F. Anderson
David F. Anderson, BBO 560994
Latti & Anderson LLP
30-31 Union Wharf
Boston, MA 02109
(617) 523-1000

Dated: November 8, 2005

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that on the above date, I electronically filed the above pleading with the Clerk of the Court using CM/ECF system which will send notification of such filing(s) to the following:

Thomas Muzyka
Kenneth M. Chiarello
Clinton & Muzyka, P.C.
One Washington Mall, Suite 1400
Boston, MA 02108

/s/ David F. Anderson
David F. Anderson